



CITY OF ALBUQUERQUE
OFFICE OF ADMINISTRATIVE HEARINGS
ZONING HEARING EXAMINER
NOTIFICATION OF DECISION

MHP, LLC (Agent, Fritz Eberle) requests a variance of 3 ft to the 3 ft maximum wall height for Lot 17B, MRGCD Map 35, located at 2211 Rio Grande Blvd NW, zoned R-MH [Section 14-16-5-7(D)]

Special Exception No:..... **VA-2019-00402**
Project No: **Project#2019-003060**
Hearing Date: 12-17-19
Closing of Public Record: 12-17-19
Date of Decision: 01-01-20

On the 17th day of December, 2019, property owner MHP, LLC (“Applicant”) appeared before the Zoning Hearing Examiner (“ZHE”) requesting a variance of 3 ft to the 3 ft maximum wall height (“Application”) upon the real property located at 2211 Rio Grande Blvd NW (“Subject Property”). Below are the ZHE’s findings of fact and decision:

FINDINGS:

1. In light of testimony in opposition to the application regarding obstruction of the clean sight triangle, Applicant requested deferral to allow City Traffic Engineering Division to review and comment on whether the proposed wall would impermissibly obstruct the clear sight triangle; therefore, deferral of the hearing on this matter is appropriate.

DECISION:

DEFERRAL of the Application to be heard at the ZHE hearing at 9:00 a.m. on January 21, 2020.

APPEAL:

If you wish to appeal this decision, you must do so by January 16, 2020 pursuant to Section 14-16-6-4(U), of the Integrated Development Ordinance, you must demonstrate that you have legal standing to file an appeal as defined.

Successful applicants are reminded that other regulations of the City must be complied with, even after approval of a special exception is secured. This decision does not constitute approval of plans for a building permit. If your application is approved, bring this decision with you when you apply for any related building permit or occupation tax number. Approval of a conditional use or a variance application is void after one year from date of approval if the rights and privileges are granted, thereby have not been executed, or utilized.



Robert Lucero, Esq.
Zoning Hearing Examiner

cc:

ZHE File

Zoning Enforcement

MHP LLC, 8100 Barstow ST NE Apt 17202, 87122

Fritz Eberle, 6544 Glen Oak NE, 87111

Phillip Apodaca, 3124 San Fernando Pl, 87104

Lee Gamelsky, 2412 Miles RD SE, 87106